

Message Text

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TAGS: PINT, MT

SUBJ: CONSTITUTIONAL ISSUES

REF: VALLETTA 1327, JULY 3, 1973

1. SUMMARY: P.M. MINTOFFED KICKED OFF PARLIAMENTARY DEBATE JAN 16 WITH STRONG PRESENTATION OF HIS PREVIOUSLY STATED POSITION ON THE CONSTITUTION ITSELF, AND PARTICULARLY THE PROVISION THAT AMENDMENTS TO CERTAIN SECTIONS REQUIRE A TWO-THIRDS VOTE. HE MAINTAINED THAT GOM COULD CHANGE THE CONSTITUTION AS A WHOLE OR ANY OF ITS PARTS BECAUSE WHEN IT WAS PASSED THE NATIONALISTS THEN HAD ONLY 42 PERCENT OF TOTAL ELECTORAL VOTES. (WHICH THEY WOULDN'T HAVE HAD WITHOUT THE RELIGIOUS SANCTIONS AGAINST MLP) AND BECAUSE THE CONSTITUTION HAD BEEN PASSED IN A HURRY WITH A MAJORITY OF ONLY ONE; AND THAT PERSON HAD BEEN ELECTED ON AN ANTI-INDEPENDENCE SLATE. GOM NOW HAS OVER A FIFTY PERCENT MAJORITY, AND COULD DO THE SAME AS THE NATIONALISTS DID.

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2. REFERRING TO NATIONALIST THREAT TO TAKE HIS FAILURE TO RECONSTITUTE THE CONSTITUTIONAL COURT TO THE COUNCIL

OF EUROPE, MINTOFF GAVE LONG HARANGUE ON THE PRE-AND POST-WAR HISTORY OF UNFAIR TREATMENT OF THE LABOR PARTY BY THE BRITISH AND THE CATHOLIC CHURCH. HE SAID THAT HE DID NOT CONSTITUTE THE COURT IN ORDER TO SHOW THAT NO ONE COULD IMPOSE THE TWO-THIRDS CONDITION ON GOM. IF THE COUNCIL WERE TO COME TO MALTA, HE WOULD HAVE PLENTY TO TELL THEM.

3. HE SPOKE CRITICALLY OF THE 1964 DEFENSE AND FINANCE AGREEMENTS WITH HMG, AND THOSE THAT THEN HAD WARNED THAT THESE AGREEMENTS WERE NECESSARY TO PROTECT MALTA. "NEITHER THE RUSSIANS NOR THE AMERICANS HAD SWALLOWED UP MALTA IN THE PAST TWO AND HALF YEARS, BECAUSE SUCH TIMES HAD LONG SINCE PASSED."

4. MINTOFF CITED THE FOLLOWING AS THE MOST IMPORTANT CHANGES HE DESIRES: THE RIGHT TO TAKE MALTA OUT OF THE COMMONWEALTH; REDUCTION OF VOTING AGE TO 18; AND A MODIFICATION OF THE ELECTORAL SYSTEM. HE DID NOT GIVE DETAILS.

5. CITING RUMORS INSPIRED BY OPPOSITION THAT HE WANTS TO BE A DICTATOR AND WOULD FIND A WAY TO EXTEND HIS TERM ILLEGALLY, MINTOFF SAID HE COULD TEAR UP THE CONSTITUTION AND PASS A NEW ONE. HE COULD INCREASE LIFE OF PARLIAMENT TO 15 YEARS, JUST AS THE NATIONALIST INCREASED IT FROM 4 TO 5 YEARS (PRIOR TO 1966 ELECTIONS). HE DID NOT WANT TO DO THESE THINGS BECAUSE GOM IS A DEMOCRATIC GOVERNMENT.

6. HE CALLED UPON THE OPPOSITION TO JOIN WITH HIM TO REVIEW THE CONSTITUTION AND AGREE ON WHICH SECTIONS, E.G., HUMAN RIGHTS, SHOULD RETAIN THE TWO-THIRDS PROVISION, AND THOSE WHICH COULD BE AMENDED BY A SIMPLE MAJORITY. HE SAID THIS COOPERATION SHOULD BE BASED UPON THE PRECONDITION THAT BOTH SIDES SHOULD TRUST ONE ANOTHER.

7. MINTOFF'S PRESENTATION TOOK UP MOST OF THE SITTING,
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BUT THE DEBATES WILL CONTINUE JAN 21. OPPOSITION SPOKESMAN SAID THEY COULD STUDY MINTOFF'S PROPOSALS, BUT WOULD NOT, ACCEPT PRECONDITIONS. IN RESPONSE TO DEPUTY NATIONALIST LEADER TABONE'S SHOUT OF "CZECHOSLOVAKIA," DURING PORTION ON OLD UK DEFENSE AGREEMENT, MINTOFF SAID HE DID NOT KNOW WHAT HAPPENED THERE, BUT HE DID KNOW WHAT HAPPENED IN CHILE AND GREECE. CZECHOSLOVAKIA HAD A DEFENSE AGREEMENT WITH RUSSIA. IF SHE HAD NOT HAD SUCH AN AGREEMENT, PERHAPS NOTHING WOULD HAVE HAPPENED.

8. COMMENT: NATIONALIST HAVE BEEN CALLING FOR THIS
DEBATE FOR SOME TIME. ALTHOUGH NOTHING REALLY NEW HAS
COME OUT THUS FAR, THE DEBATE SHOULD CLEAR THE AIR
AROUND THE ISSUES INVOLVED. MINTOFF APPEARED CONVINCED
THAT HE IS MORALLY RIGHT AND DETERMINED TO GET HIS WAY.
IT IS IMPOSSIBLE AT THIS STAGE TO JUDGE EXACTLY HOW
FAR HE WILL GO, OR WHAT POSITION THE GOVERNOR GENERAL
MAY TAKE IF MINTOFF ACTUALLY DECIDES TO TAKE
CONSTITUTIONALLY ILLEGAL ACTIONS. TUCKER

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